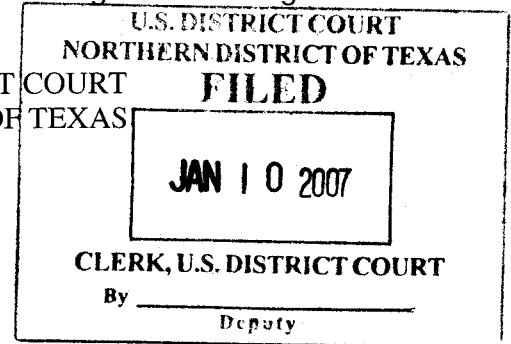


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



BARRY DWAYNE MINNFEE,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

2:06-CV-0354

**ORDER OVERRULING OBJECTIONS,**  
**ADOPTING REPORT AND RECOMMENDATION,**  
**and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Came for consideration the federal habeas corpus application filed by petitioner BARRY DWAYNE MINNFEE. On December 26, 2006, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be dismissed for lack of subject matter jurisdiction. Petitioner filed objections to the Magistrate Judge's Report and Recommendation on January 8, 2007.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are hereby OVERRULED, and the Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 10<sup>th</sup> day of January 2007.

MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE